

MIDDLE DISTRICT OF ALABAMA

COURT REPORTER: Risa Entrekin

 ARRAIGNMENT CHANGE OF PLEA CONSENT PLEA RULE 44(c) HEARING SENTENCINGPRESIDING MAG. JUDGE: WALLACE CAPEL, JR.DEPUTY CLERK: WANDA ROBINSONCASE NUMBER: 2:06cr219-WKWDEFENDANT NAME: Phillip FoyAUSA: Susan R. RedmondDEFENDANT ATTY: Richard Kelly Keith

Type Counsel: () Waived; () Retained; (X) Panel CJA; () CDO

USPO: Jason DillonDefendant _____ does x does NOT need an interpreter.Interpreter present? x NO YES Name: _____

- This is defendant's **FIRST APPEARANCE. (Docket kia.!!!)**
- WAIVER OF INDICTMENT executed and filed.
- MISDEMEANOR INFORMATION filed.
- Juvenile Information filed w/Certificate that State Court refuses jurisdiction.

PLEA: Not Guilty Nol Contendere Not Guilty by reason of insanityx Guilty as to:X Count(s) 1 of the Felony Indictment. Count(s) _____ dismissed on oral motion of USA; to be dismissed at sentencing**— ORAL ORDER ADJUDICATING GUILT as to COUNT**X — Written plea agreement filed. OPEN/ORAL Plea Agreement. ORDERED SEALED. No Plea
Agreement entered— _____ Days to file pretrial motions. _____ Trial date or term.— **ORDER:** Defendant Continued under **Modified Conditions** of bond to include electronic monitoring and
proof of steps to resolve unpaid traffic tickets within 2 weeks. Trial on _____; x- Sentencing X- to be set by Separate Order— **ORDER:** Defendant remanded to custody of U.S. Marshal for: Posting a \$ _____ Bond; Trial on _____; or Sentencing on _____ set by separate Order.Rule 44 Hearing: Waiver of Conflict of Interest Form executed. Detention requests time to secure new counsel.

** Defendant released on house arrest until electronic monitoring installed**